

**JEROME JOLLY,**

**Plaintiff,**

**v.**

**AMERICAN GENERAL FINANCE,**

**Defendant.**

On January 22, 2013, Plaintiff filed a Motion to Dismiss without Prejudice. (Doc. No. 7). In his Motion to Dismiss, Plaintiff “moves the court to dismiss this case without prejudice as it was filed prematurely.” (Id.). However, on February 5, 2013, Plaintiff appeared in the Clerk’s Office with a completed civil summons and asked for the summons to be served on Defendant. Plaintiff indicated that he did not wish his case to be dismissed after all, to which the employee in the Clerk’s Office responded that he would need to file a Notice of Withdrawal of the Motion to Dismiss. The Court entered a text order on February 6, 2013, staying service of the Complaint

and warning Plaintiff that he must file a Notice of Withdrawal of his Motion to Dismiss within seven (7) days or the Court would dismiss his Complaint without Prejudice. Plaintiff failed to withdraw his Motion to Dismiss, and the time for doing so has now expired.

**IT IS, THEREFORE, ORDERED** that Plaintiff's Motion to Dismiss, (Doc. No. 7), is **GRANTED** and his Complaint, (Doc. No. 1), is **DISMISSED** without prejudice. The Clerk of Court is directed to close this case.

Signed: February 20, 2013

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

